

BURLEY & GEACH

FAMILY MEDIATION SERVICE

Mediation - Take Control, Take the Fresh Approach



Anna-Jane Spirit is a Partner based at the Petersfield Office and is a trained Solicitor/Mediator who has been practising Family Law for over 25 years. Anna-Jane has Resolution and Legal Services Commission accredited status in Family Law issues relating to finance and children being a member of the College of Family Mediators, the Law Society Family and Family Mediation Panels, Resolution, and Family Mediators Association and is approved by the Legal Services Commission to provide Public Funded Mediation including Mediation Information & Assessment Meetings (MIAM's) and form FM1

Suzanne Barrett is an Assistant Solicitor based at our Haslemere Office and is a trained Solicitor practicing Family Law since 2003 and more recently training as a Family Mediator. Suzanne is a member of Resolution and ADR Group.

What is Mediation?

Mediation is a way of resolving disputes to the satisfaction of everyone involved without the need to go to Court. Parties are assisted in achieving mutually beneficial resolutions with the help of an impartial mediator. The process is completely voluntary so a party cannot be forced to take part in a mediation and can choose to withdraw from the process at any time.

How does Mediation Work?

The Mediator will help you reach a settlement which is acceptable to you both. A settlement you each can live with, and which leaves each of you with your dignity intact. Typically around 5-7 sessions are needed to finalise a comprehensive agreement, though that figure does depend very much on the number and complexity of the issues involved, the degree of co-operation shown by you and your partner, and the ease with which agreement can be reached. You can consult your own solicitor at any time during the Mediation process.

Why try Mediation?

- is confidential
- is unbiased
- is voluntary
- encourages disputes to settle at an early stage
- puts you in control
- is less stressful than going to Court
- could be cheaper than going to Court
- could help you resolve your dispute quickly
- is less formal than asking a Judge to decide on matters that directly affect you & your family

Burley & Geach Family Mediation Service

8 Swan Street, Petersfield, Hampshire, GU32 3AE

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ALSO AT

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Tel: 01428 656011

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How much will it cost?

A Mediator's hourly rate is broadly the same as that of your legal adviser but shared between the couple in whatever proportion they decide is fair. Mediation, if successful, can cost significantly less than going to Court. For further details contact us on 01730 262401/710170 to discuss.

You may be able to get "Legal Aid" to cover your costs if you are on a low income and only have limited savings. Each person is charged and assessed separately. It is possible for one person to be "Legally Aided" and the other to pay privately.

Is Mediation suitable?

You and the Mediator would need to work out whether Mediation is going to be suitable for you. Sometimes it may suit one person but not their partner, so this isn't just your decision.

Don't be put off if the Mediator asks you some questions about whether you or your partner have been violent towards each other. It is important to check that if you meet together to Mediate you will both be safe and that it's okay for you to sort out arrangements together without the fear of being bullied.

What happens afterwards?

If you are able to reach an agreement the Mediator will put together a document for you setting out your agreement in writing. This is called a Memorandum of Understanding. The Mediator will advise you to ask your Solicitor to look at this before it is finalised to make sure that it is fair. If you both agree, you can get your solicitors to make it "legally binding" so that you will both be required by law to stick to your agreement. If you are divorcing/dissolving a civil partnership it is very important that you take this final step so that you are protected against any financial claims in the future.

How to start the Mediation Process?

If you already have a Solicitor, they will be able to refer you to Mediation. This may happen because you are applying for "Legal Aid" or you are considering issuing an Application in the Court in relation to a family matter, and the rules say you must first look into Mediation to see whether it is a viable alternative to help you. However, you may have heard of Mediation from other sources. If so, you and your partner will each need to make contact with us to arrange an initial appointment. You will then be sent out a Mediation Pack to read through before you attend, just so you are aware of what to expect. This also gives you an opportunity to contact us should you have any other queries before your appointment.

